(3)
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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR
W.P. 3656 /2003

PETITIONER: - Gireeja Prasad Mishra, s/oLate---------G.K.P. Mishra
Aged about 60 years/o Rohinipuram, near Indian gas agency, Daganiya, Raipur (C.G.)

Versus

RESPONDENT:- 1. Chhattisgarh State Cooperative Marketing federation Through its Managing Director,880,Civil lines , Raipur(C.G.)

2. Secratery, Chhattisgarh state Cooperative Marketing federation ltd.,880,Civil lines,Raipur(C.G.)

3. Chief Accounts officer cum Assittant financial Cont--roler , Chhattisgarh state Cooperative Marketing federation ltd.,880,Civil lines,Raipur(C.G.)

P. R. No. 3486/03
Presented by Shri Sadhak Gupta
dated 05.11.03

WRIT PETITION U/A 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT/WRITS IN THE NATURE OF MANDAMUS AND ANY OTHER DIRECTION:-

(60)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3656/ सन् 2003

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	09.01.2004 Heard Shri Satish Gupta, counsel for the petitioner. The petitioner has preferred this writ petition under Article 226 of the Constitution of India, questioning show cause notices dated 24.01.2002; 06.02.2002/15.02.2002 and 23.07.2002/02.08.2002 (Annexure P-5). The main grievance of the petitioner is that by these notices the petitioner has been asked to show cause and asked to deposit Rs.2,06,339.71 with respondent No.1. The petitioner's case is that regarding that loss enquiry was instituted and the enquiry officers absolved the petitioner from the charges of loss sustained by the respondents and even thereafter, without following the principles of natural justice, the petitioner had been served with show cause notices. Learned counsel for the petitioner submits that the petitioner has already filed reply to these notices, but the respondents are not deciding his case. As far as the filing of the writ petition against the show cause notice is concerned, no petition lies against the show cause notice and the petition is filed on the ground that notice is malafide. Learned counsel for the petitioner submits that the petitioner has already submitted reply and the respondents are not deciding the	

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

representation/reply of the petitioner filed in reply to the show cause notices.

Having heard the learned counsel for the petitioner and having regard to the facts and circumstances of the case, I am of the opinion that the respondents should decide the representation and reply to the show cause notices submitted by the petitioner before affecting any recovery from the petitioner and pass an order and communicate the same to the petitioner. Therefore, the respondents are directed that first they should decide the representation and reply submitted by the petitioner within a period of 30 days from today before recovering any amount from him, in accordance with law.

With the above observations and directions the petition stands disposed of.

In view of this order, M.(W.)P.No.3299/2003 and I.A. No.11323/2003 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

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